

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATIONAL LABOR RELATIONS
BOARD,

Plaintiff,

v.

SHARLYN TODD,

Defendant.

Case No. 2:24-CV-01642-CSK

ORDER VACATING HEARING AND
ORDER FOR RESPONSE

Presently pending before the Court is Plaintiff National Labor Relations Board's motion for default judgment against Defendant Sharlyn Todd, which was filed on December 18, 2024 and which is set for hearing on February 4, 2025. (ECF Nos. 14, 16.) Plaintiff has confirmed Defendant was served with the motion. (ECF No. 18 at 2.) Under Local Rule 230(c), Defendant was required to file an opposition or statement of non-opposition to the motion no later than fourteen (14) days after the filing date of the motion, on or by January 2, 2025. Although that deadline has passed, no opposition or statement of non-opposition was filed.

Out of an abundance of caution, and in light of the Court's desire to resolve the action on the merits, the Court will provide Defendant one additional, final opportunity to respond to the motion.

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Accordingly, IT IS HEREBY ORDERED that:

1. The February 4, 2025 hearing on Plaintiff's motion for default judgment is VACATED;
2. Any opposition or statement of non-opposition by Defendant shall be filed within fourteen (14) days from the date of this order, and the reply brief from Plaintiff, if any, is due ten (10) days thereafter;
3. Defendant is cautioned that failure to respond to the motion in compliance with this order will be deemed as consent to a summary grant of the motion, and may result in the imposition of a default judgment against them;
4. Plaintiff shall promptly serve a copy of this order on Defendant at her last-known address, and file a proof of service with the Court; and
5. After the time period for briefing is complete, the Court will take this matter under submission on the papers without oral argument, pursuant to Local Rule 230(g). The Court will reschedule a hearing at a future date, if necessary.

Dated: January 31, 2025



CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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